



Chairperson: Bob Wyatt, NW Natural
Treasurer: Fred Wolf, Legacy Site Services for Arkema

October 5, 2010

Chip Humphrey
Eric Blischke
U.S. Environmental Protection Agency, Region 10
805 SW Broadway, Suite 500
Portland, OR 97205

Re: EPA Comments on Benthic Risk Evaluation (Lower Willamette River, Portland Harbor Superfund Site, USEPA Docket No: CERCLA-10-2001-0240)

Chip and Eric:

On September 27, 2010, the LWG received EPA's comments on the Benthic Risk Evaluation for the Portland Harbor Site. These comments are extensive and complex, including a new proposed modeling approach, and many appear to be directive in nature. As you know, the LWG's Order with EPA requires the LWG to notify EPA that it is disputing directive comments from EPA within 14 days of receipt of the direction. Given the extent of these comments, there is no practical opportunity for the LWG to get through all of them in 14 days and make a reasoned determination of which directive comments might need to be disputed. Further, as has been our practice, the LWG believes that some interim exchanges with EPA may resolve or reduce the number of comments potentially subject to dispute. Therefore, the LWG hereby requests an additional 30 days, until November 12, 2010, as a deadline for the LWG to invoke dispute resolution on these directive comments. I look forward to additional discussions with you in the interim.

Please let me know whether this request is acceptable to EPA.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bob Wyatt", is written over a light blue horizontal line.

Bob Wyatt

cc: Confederated Tribes and Bands of the Yakama Nation
Confederated Tribes of the Grand Ronde Community of Oregon
Confederated Tribes of Siletz Indians of Oregon

Confederated Tribes of the Umatilla Indian Reservation
Confederated Tribes of the Warm Springs Reservation of Oregon
Nez Perce Tribe
Oregon Department of Fish & Wildlife
United States Fish & Wildlife
Oregon Department of Environmental Quality
LWG Legal
LWG Repository